
*Rooty Hill with Mount Druitt Variation of Trust
and Land Sale Ordinance 1966*

No. 7, 1966.

AN ORDINANCE to vary the trusts of certain land at Rooty Hill in the Municipality of Blacktown to authorise the sale of part of such land and to provide for the application of the proceeds.

WHEREAS Church of England Property Trust Diocese of Sydney (hereinafter called the Corporate Trustee) is registered as proprietor in fee simple of the land comprised in Certificate of Title Volume 660 Folio 13 more particularly described in the First Schedule hereto AND WHEREAS the said land was formerly situated in the Parish of St. Mary's and was the subject of a gift to that Parish some eighty two years ago pursuant to Memorandum of Transfer No. 69596 AND WHEREAS the land is now situated in the Provisional District of Rooty Hill with Mount Druitt and the church of St. Alban Rooty Hill is erected on part thereof AND WHEREAS the majority of the Parish Council of the Parish of St. Mary's has consented in writing to the trusts of the said land being varied in favour of the said Provisional District AND WHEREAS by reason of the circumstances which have arisen subsequent to the creation of the trusts upon which the land is now held it is expedient that the same be now varied and declared as hereinafter set out AND WHEREAS there is now no Rectory for the said Provisional District and it is proposed to sell part of the said land namely that described in the Second Schedule and to apply the net proceeds towards the cost of erection of a Rectory on part of the residue NOW the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod HEREBY DECLARES ORDAINS and DIRECTS as follows:-

1. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the First Schedule is held it is inexpedient to carry out and observe the same and it is expedient that such trusts be now varied.

2. The land described in the First Schedule shall henceforth be held by the Corporate Trustee upon trust to permit the same to be used for a church parsonage or parish hall or partly for one and partly for another of such purposes in connection with the Church of England in Australia at Rooty Hill in the Provisional District of Rooty Hill with Mount Druitt or any Provisional Parish or Parish into which it may be subsequently formed.

3. By reason of circumstances which have arisen subsequent to the creation of the trusts upon which the land described in the Second Schedule is held it is inexpedient to carry out and observe the same and it is expedient that such land be sold.

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4. The Corporate Trustee is hereby authorised to sell the land described in the Second Schedule together or in parcels by public auction or private contract at such time or times at such price or prices and upon such terms and conditions as it shall think fit and to dedicate such parts as may be necessary to satisfy the requirements of the Municipal Council as a condition of approving any subdivision freed from the said trusts.

5. The proceeds arising from the said sale or sales shall after paying thereout all outgoings to which it is subject and the costs of and incidental to this Ordinance and to the subdivision of the said land (including any payment required by Statutory Authority) and the sale thereof and transfer or transfers pursuant thereto be applied towards the erection of a Rectory and prescribed furnishings thereof in the said Provisional District or in reduction of any loan raised for the purpose of such erection and furnishings.

6. This Ordinance may be cited as "Rooty Hill with Mount Druiitt Variation of Trust and Land Sale Ordinance 1966."

FIRST SCHEDULE

All that piece or parcel of land situated in the Municipality of Blacktown Parish of Rooty Hill County of Cumberland containing about 2 acres 3 roods 18½ perches having a frontage of 222 links to Rooty Hill Road by depth along Sherbrooke Street of 1102½ links and along Westminster Street of 1100 links being Portion 65 and part of Portion 66 of the Parish of Rooty Hill and being the whole of the land comprised in Certificate of Title Volume 660 Folio 13.

SECOND SCHEDULE

All that piece or parcel of land situated as aforesaid comprising part of the land described in the First Schedule extending about 132 feet north easterly from the rear boundary thereof along Sherbrooke Street and Westminster Street.

I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

ATHOL RICHARDSON,
Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on the 28th day of March, 1966.

R. K. JONES,
Acting Secretary.

I assent to this Ordinance.

MARCUS L. LOANE,
Bishop Commissary.

28/3/1966.